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DEC 22 2005

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## FACSIMILE

From: Keats A. Quinalty  
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TO: Mail Stop Amendment COMPANY: U. S. Patent and Trademark Office

FAX: 571-273-8300 PAGES: 17 (including cover)

PHONE: DATE: December 22, 2005

RE: U.S. Patent Application ATTORNEY  
No. 10/801,523 DOCKET/REF. NO. R029 1500

ACCOUNTING NO. 38400.0143.1

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In re application of: Robert L. Sutherland  
Serial No.: 10/801,523  
Filed: 03/15/2004  
For: Flat Primary and Secondary Locking System

Attached in connection with the above-identified patent application are the following:

- (1) Transmittal Form;
- (2) Amendment and Response to Election of Species Requirement; and
- (4) Fee Transmittal.

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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

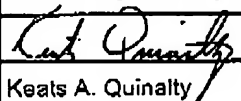
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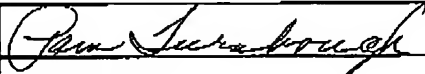
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/801,523	
	Filing Date	March 15, 2004	
	First Named Inventor	Robert L. Sutherland	
	Art Unit	3728	
	Examiner Name	Pollicoff, Steven B.	
Total Number of Pages in This Submission	16	Attorney Docket Number	R029 1500

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Womble Carlyle Sandridge & Rice, PLLC		
Signature			
Printed name	Keats A. Quinalty		
Date	December 22, 2005	Reg. No.	46,426

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			Date
Typed or printed name	Pam Turnbough	Date	December 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/09/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

.00

**Complete if Known**

Application Number	10/801,523
Filing Date	March 15, 2004
First Named Inventor	Robert L. Sutherland
Examiner Name	Pollcoff, Steven B.
Art Unit	3728
Attorney Docket No.	R029 1500

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 09-0528 Deposit Account Name: Womble Carlyle Sandridge & Rice, PLLC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
37	- 20 or HP = 0	x 50.00 =	.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
9	- 3 or HP = 0	x 200.00 =	.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
	- 100 =	/ 50 =	(round up to a whole number) x	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

Signature	<i>Keats A. Quinsly</i>	Registration No. (Attorney/Agent)	46,426	Telephone	404-879-2423
Name (Print/Type)	Keats A. Quinsly			Date	December 22, 2005

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PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: )  
Robert L. Sutherland et al. ) Art Unit: 3728  
Serial No: 10/801,523 ) Examiner: Pollicoff, Steven B.  
Filed: March 15, 2004 )  
For: FLAT PRIMARY AND SECONDARY LOCKING SYSTEM

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Sir:

In response to the Office Action dated November 23, 2005, Applicants hereby elect Species II, without traverse. As amended, claims 1-19, 21-24 and 28-41 read on Species II. Claims 1-19, 21-24 and 28-41 are generic.

Amendments to the Claims are reflected in the Listing of Claims, which begins on page 2 of this paper.

Remarks begin on page 14 of this paper.

Conclusion begins on page 14 of this paper.

<p align="center"><b>CERTIFICATE OF TRANSMISSION/MAILING</b></p> <p>I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office at facsimile number 571-273-8300 on the date shown below.</p> <p align="center"><u>December 22, 2005</u> Date</p> <p align="center"><u>Pam Turnbough</u> Pam Turnbough</p>
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